

**STIPULATING PARTIES SHOWN ON SIGNATURE PAGES**

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**IN RE CAPACITORS ANTITRUST  
LITIGATION (NO. III)**

**THIS DOCUMENT RELATES TO:**

All Direct Purchaser Actions,  
Case No. 3:14-cv-03264-JD

All Indirect Purchaser Actions,  
Case No. 3:14-cv-03264-JD

*The AASI Beneficiaries' Trust, by and Through  
Kenneth A. Welt, Liquidating Trustee, v. AVX  
Corp. et al.*, Case No. 3:17-cv-03472-JD

*Avnet, Inc., v. Hitachi Chemical Co., Ltd., et al.*,  
Case No. 3:17-cv-07046-JD

*Benchmark Electronics, Inc. et al. v. AVX Corp.  
et al.*, Case No. 3:17-cv-07047-JD

*Arrow Electronics, Inc. v. ELNA Co., Ltd. et al.*,  
Case No. 3:18-cv-02657-JD

*Flextronics International USA, Inc.'s Individual  
Action*, Case No. 3:14-cv-03264-JD

**Master File No. 3:17-md-02801-JD**

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING MDL  
SCHEDULING ORDER**

1 WHEREAS, on October 5, 2018, the Court entered an MDL Scheduling Order, setting forth  
2 various dates through trial (*see* ECF No. 345);

3 WHEREAS, since that time the parties have submitted their experts' reports on merits,  
4 pursuant to the deadlines set in the MDL Scheduling Order;

5 WHEREAS, the parties have worked in good faith to schedule the experts' depositions and  
6 have reached an agreement on deposition dates for all of the experts;

7 WHEREAS, due to the number of expert depositions—sixteen—and the availability of the  
8 experts, some of the depositions have been scheduled for after the merits expert discovery cut-off  
9 date of May 17, 2019, and therefore the parties have agreed to a short extension of the close of  
10 merits expert discovery;

11 WHEREAS, due to the fact that the deposition of plaintiffs' expert, Dr. McClave, is  
12 scheduled for June 7, 2019 and defendants' expert, Dr. Warren-Boulton, is scheduled for June 4,  
13 2019, which both fall in the same week as the last day to file dispositive motions and *Daubert*  
14 motions (for merits experts' reports), the parties have agreed to a one-week extension of the last day  
15 to file dispositive motions and *Daubert* motions (for merits experts' reports) and the responses to  
16 dispositive and *Daubert* motions;

17 WHEREAS, the parties' agreed one-week extension does *not* affect the deadline for replies  
18 to dispositive and *Daubert* motions, the date of the summary judgment and *Daubert* motions  
19 hearing, or any later dates in the MDL Scheduling Order;

20 WHEREAS, the parties believe these adjustments are necessary and appropriate, and agree  
21 that good cause exists to modify the schedule as set forth below;

22 WHEREAS, the parties have not previously sought any adjustments to this schedule;

23 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the  
24 parties, for the following case schedule:  
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<b>Event</b>	<b>Deadline</b>	<b>Change to MDL Scheduling Order [ECF No. 345]</b>
Merits expert discovery cut-off	June 7, 2019	Three week extension
Last day to file dispositive motions and <i>Daubert</i> motions (for merits experts' reports)	June 14, 2019	One week extension
Reponses to dispositive and <i>Daubert</i> motions	July 19, 2019	One week extension
Replies for dispositive and <i>Daubert</i> motions	August 1, 2019	<i>Unchanged</i>
Summary judgment and <i>Daubert</i> motions hearing	August 29, 2019 at 10:00 a.m.	<i>Unchanged</i>
Pretrial Conference	January 9, 2020 at 1:30 p.m.	<i>Unchanged</i>
Jury Trial	February 3, 2020 at 9:00 a.m.	<i>Unchanged</i>

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 Dated: May 1, 2019

  
4 HONORABLE JAMES DONATO  
5 UNITED STATES DISTRICT JUDGE  
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1 Pursuant to Civil Local Rule 5.1(i)(3), I attest that all other signatories listed, and on whose  
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